

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Stephen Clifford BROWN, Marie-Laure
BASTIMENT, Kenneth Arthur EVANS, and
Javier Prieto GARCIA
U.S. Serial No. : 10/031,003
U.S. Filing
Date : October 19, 2001
International
Application No. : PCT/GB00/01652
International
Filing Date : 28 April 2000
For : FIRE RETARDANT COMPOSITIONS

1185 Avenue of the Americas
New York, New York 10036
November 26, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

DECLARATION OF RICHARD S. MILNER

I, Richard S. Milner, hereby declare that:

1. I am currently, and have been since 1998, a partner at the firm of Cooper & Dunham LLP, 1185 Avenue of the Americas, New York, New York 10036 ("Cooper & Dunham"), and have been admitted to practice before the United States Patent and Trademark Office ("USPTO") since 1989.
2. I have responsibility for the above-identified application, which I filed on October 19, 2001.

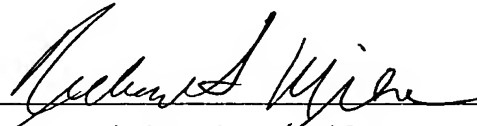
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3. On March 29, 2002, I filed a Petition Under 37 C.F.R. §1.182 To Change The Name Of One Of The Inventors To Marie-Laure Bastiment From Marie-Laure David ("Change Of Name Petition") along with a Response To Notification Of Missing Requirements Under 35 U.S.C. 371. A copy of the postcard receipt is attached as Exhibit 1.
4. On October 2, 2003, I received a Notification Of Abandonment dated September 26, 2003 from the USPTO stating that this application became abandoned for failure to respond to a June 19, 2002 Decision. A copy of the Notification is attached as Exhibit 2.
5. On October 3, 2003, I spoke with Tamala Holland at the USPTO who sent a copy of the Decision to me. A copy of the Decision is attached as Exhibit 3.
6. As the practitioner responsible for this application, I have no recollection of having received the Decision or any response with respect to the Change Of Name Petition other than the postcard receipt from the USPTO prior to receiving the Notification Of Abandonment on October 2, 2003.
7. As the practitioner responsible for this application, I have also searched the file jacket and docket records and my search indicates that no Decision on the Change Of Name Petition was received prior to receiving the Notification Of Abandonment on October 2, 2003.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and

belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 26 November 2003


Richard S. Milner

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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BASTIMENT, Kenneth Arthur EVANS, and
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1185 Avenue of the Americas
New York, New York 10036
November 26, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

DECLARATION OF MATTHEW LEDDY

I, MATTHEW LEDDY, hereby declare that:

1. I am currently, and have been since March 19, 2001, employed at Cooper & Dunham LLP as a docketing clerk, and since October 20, 2003 have been in charge of the docketing department.
2. Attached as Exhibit 1 is a copy of a printout from our computer docketing system indicating all of the dockets having a due date of August 19, 2002.
3. Each entry includes an "Action Description" which indicates the reason for the entry. Entries for a response to a United

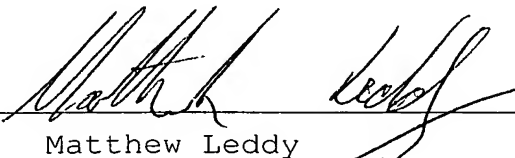
States Patent and Trademark Office ("USPTO") decision are entered into our computer docketing system with the "Action Description" of "RESPONSE DUE".

4. As shown on the printout, no response to a USPTO Decision for this application ("App. No. 10/031003") was indicated as being due on August 19, 2002. Instead, the only entry for this application on August 19, 2002 is a "10mo FOREIGN FILING REMINDER" which is generated for every U.S. patent application filed by the firm to remind the responsible attorney ten months from the U.S. filing date of possible foreign filings. In this application, ten months from the U.S. filing date of October 19, 2001 is August 19, 2002.

Based on the above, it is my belief that Cooper & Dunham LLP never received the June 19, 2002 Decision from the USPTO in connection with the subject application since an entry for the response date of August 19, 2002 for the Decision would have been entered in this application's computer docketing record and would have appeared as an entry in Exhibit 1.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 11/26/2003


Matthew Leddy

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Stephen Clifford BROWN, Marie-Laure
BASTIMENT, Kenneth Arthur EVANS, and
Javier Prieto GARCIA

International
Application No. : PCT/GB00/01652

International
Filing Date : 28 April 2000

U.S. Serial No. : 10/031,003

U.S. Filing
Date : October 19, 2001

For : FIRE RETARDANT COMPOSITIONS

1185 Avenue of the Americas
New York, New York 10036
16 October 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

DECLARATION OF WENDELL DUNN

I, Wendell Dunn, hereby declare that:

1. I am currently, and have been since the start of my employment in April 1999 at the firm of Cooper & Dunham LLP, 1185 Avenue of the Americas, New York, New York 10036 ("Cooper & Dunham"), in charge of the docketing department at the firm.
2. Since the start of my employment at Cooper & Dunham, each person employed in our docketing department has been trained to follow, and to my knowledge follows, our procedures for processing mail received from the United States Patent and Trademark Office ("PTO"), as described below.

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3. At least during my employment at Cooper & Dunham LLP, it has been, and is, the procedure of the docketing department to obtain all mail received from the PTO directly from the Cooper & Dunham mailroom as soon as the mail is received from the Post Office. Such mail is processed by our docketing department in the manner described below on the same day or, if the mail is received late, on the next business day.
4. For each item of mail received from the PTO, the procedure of our docketing department is as follows: (a) stamp the date of receipt of the item on the first page of the item; (b) identify the attorney responsible for handling prosecution of the application, and, if the attorney is not the addressee of the item of mail, write the initials of the attorney who is responsible at the top-right corner on the first page of the item; (c) make a photocopy of at least the first page of the item and place the photocopy in the hard copy files of the docketing department; (d) determine the type of action of the item received and enter the action type in the docket record for the corresponding application in our computer docketing system; (e) determine the due date of any action that must be taken, such as payment of issue fee in response to a Notice of Allowance, and if any such actions are required, enter in the docket record the due dates for the corresponding actions; and (f) place the item directly in the in-tray of the appropriately identified attorney.
5. Attached hereto as **Exhibit 1** is a copy of a printout from our computer docketing system of our docket record for the subject application as of October 2, 2003.

6. As shown in Exhibit 1, a number of actions were docketed in connection with the subject application, including an entry for the March 15, 2002 Notification Of Missing Requirements ("MISSING") received from the PTO and the corresponding due date entered by the docketing department as May 15, 2002 ("15MY2002"). Also shown is the date the Response to the Notification was submitted to the PTO, that is, March 29, 2002 ("29MR2002"). The only other document received from the PTO for the subject application is the September 26, 2003 Notice Of Abandonment with the corresponding due date for a "PETITION TO REVIVE" which was entered by the docketing department as November 26, 2003 ("26NO2003").
7. As shown in Exhibit 1, no actions based on documents received from the PTO were docketed by the computer docketing system as being due between May 15, 2002 and November 26, 2003 in connection with the subject application.
8. Under my instructions and supervision, our docketing department's hard copy files (described in Paragraph 4 herein) for at least the period between June 19, 2002 and July 22, 2002, were searched for a June 19, 2002 Decision On Petition Under 37 C.F.R. 1.182 that was purportedly mailed from the PTO in connection with the subject application. The June 19, 2002 Decision was not found amongst these pages.
9. In my employment at Cooper & Dunham, I do not recall an instance where mail from the Patent Office has taken longer than thirty days from the mailing date to be received by the law firm.

Based on the above, it is my belief that Cooper & Dunham never received the June 19, 2002 Decision from the PTO in connection with the subject application since such a document would have been entered into the subject application's docket record in our computer docketing system and a hard copy of the first page would have been found in our search of the hard copy files of the docketing department.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 10/17/03

Wendell Dunn
Wendell Dunn

DAILY DUE DATES

DAILY ACTIONS DUE

Action	Due	Attorney	App No	Docket No.	Action Description
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19AU2002		CHRISTOPHER C. DUNHAM	306766	34570	3RD MAINTENANCE FEE DUE
19AU2002		CHRISTOPHER C. DUNHAM	09/956637	50888-X	11mo FOREIGN FILING REMINDER
19AU2002		CHRISTOPHER C. DUNHAM	09/955881	65908	11mo FOREIGN FILING REMINDER
19AU2002		CHRISTOPHER C. DUNHAM	10/031003	66112	10mo FOREIGN FILING REMINDER
19AU2002		IVAN S. KAVRUKOV	09/140975	57219	NOTICE OF APPEAL DUE
19AU2002		IVAN S. KAVRUKOV	09/140975	57219	NOTICE OF APPEAL DUE
19AU2002		IVAN S. KAVRUKOV	09/955885	65888	11mo FOREIGN FILING REMINDER
19AU2002		IVAN S. KAVRUKOV	60/350213	65898-PRO	10mo U.S./ FOREIGN FILING REMINDER
19AU2002		IVAN S. KAVRUKOV	10/083211	66118	10mo FOREIGN FILING REMINDER
19AU2002		IVAN S. KAVRUKOV	10/175181	67583	CHECK DECL./REFUND(if needed)
19AU2002		IVAN S. KAVRUKOV	10/175244	67594	CHECK DECL./REFUND(if needed)
19AU2002		IVAN S. KAVRUKOV	10/175180	67595	CHECK DECL./REFUND(if needed)
19AU2002		IVAN S. KAVRUKOV	PCT/US02/015495	68191-PCT	IB 301 RECORD COPY
19AU2002		JAY H. MAIOLI	09/070022	55911	ISSUE FEE DUE
19AU2002		JAY H. MAIOLI	09/070022	55911	PUBLICATION FEE DUE
19AU2002		JAY H. MAIOLI	09/777402	63760	1st OA - 5 MONTH RESPONSE DUE
19AU2002		JAY H. MAIOLI	09/955884	65440	11mo FOREIGN FILING REMINDER
19AU2002		JAY H. MAIOLI	09/955888	65453	11mo FOREIGN FILING REMINDER
19AU2002		JAY H. MAIOLI	10/002755	65719	10mo FOREIGN FILING REMINDER
19AU2002		JAY H. MAIOLI	10/175646	67038	CHECK DECL./REFUND(if needed)
19AU2002		JOHN P. WHITE	07/080403	25151	3RD MAINTENANCE FEE DUE
19AU2002		JOHN P. WHITE	09/724026	41426-AA	EXT. FOR RESP TO RESTRICTION REQMT
19AU2002		JOHN P. WHITE	09/342314	47279-BY	BRIEF EXTENSION
19AU2002		JOHN P. WHITE	98958680.5	52208-A-PCT-EPO	INSTRUCTIONS
19AU2002		JOHN P. WHITE	10/029436	55180-A	8mo FOREIGN FILING REMINDER
19AU2002		JOHN P. WHITE	09/166649	56613	BRIEF DUE
19AU2002		JOHN P. WHITE	09/166649	56613	INVITATION TO FURNISH SEQUENCE LIST
19AU2002		JOHN P. WHITE	PCT/US01/21350	57453-C-PCT	ARTICLE 19 AMENDMENT
19AU2002		JOHN P. WHITE	09/688019	58072	30 DAY/1MO RESPONSE DUE
19AU2002		JOHN P. WHITE	PCT/US01/12706	58485-PCT	28 MONTH PHASE
19AU2002		JOHN P. WHITE	PCT/US01/12706	58485-PCT	CHECK FOR INTERNAT'L EXAMINAT'N REP
19AU2002		JOHN P. WHITE	PCT/US01/01877	61071-A-PCT	31 MONTH PHASE
19AU2002		JOHN P. WHITE	09/750981	63937	1st OA - 6MO FINAL DEADLINE
19AU2002		JOHN P. WHITE	09/285531	65023-A	NOTICE OF APPEAL DUE
19AU2002		JOHN P. WHITE	PCT/IL02/00478	71506-B-PCT	IB 301 RECORD COPY
19AU2002		JOHN P. WHITE	39294/1997	52220-A-KO	PETITION FOR EXAMINATION
19AU2002		NORMAN H. ZIVIN	619/97	52220-A-PCT-PK	RENEWAL DUE
19AU2002		NORMAN H. ZIVIN	PCT/US02/19424	65253-PCT	IB 301 RECORD COPY
19AU2002		NORMAN H. ZIVIN	60/335107	65373-PRO	10mo U.S./ FOREIGN FILING REMINDER
19AU2002		NORMAN H. ZIVIN	60/338890	66072-PRO	10mo U.S./ FOREIGN FILING REMINDER
19AU2002		NORMAN H. ZIVIN	09/896654	62271	1st OA - 6MO FINAL DEADLINE
19AU2002		RICHARD F. JAWORSKI	462777	36402	3RD MAINTENANCE FEE DUE
19AU2002		ROBERT D. KATZ	07/175881	36165	3RD MAINTENANCE FEE DUE
19AU2002		WILLIAM E. PELTON	10/007183	66122	10mo FOREIGN FILING REMINDER
19AU2002		WILLIAM E. PELTON	10/138233	66235	NOTICE OF MISSING PARTS DUE